

March 30, 1982

LB 807, 428

PRESIDENT: Motion carries. LB 807 is returned. Senator Landis, do you wish to move the adoption . . .

SENATOR LANDIS: I move the adoption of the amendment.

PRESIDENT: Senator Landis moves to adopt the amendment to LB 807. Is there any further discussion? Senator Landis, is there anything further? Motion then is the adoption of the Landis amendment to LB 807. All those in favor vote aye opposed nay. Record the vote.

CLERK: 34 ayes, 0 nays Mr. President on the adoption of the Landis amendment.

PRESIDENT: Motion carries, the Landis amendment is adopted. Senator Landis do you want to just move . . . Senator Landis moves to advance LB 807 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 807 is advanced to E & R for Engrossment. Next bill then will be LB 428 Mr. Clerk.

CLERK: Mr. President, I have a motion on the desk.

PRESIDENT: Read the motion.

CLERK: Senator Vard Johnson moves to return LB 428 to Select File for specific amendment. That amendment would be as following: (Read Johnson amendment).

PRESIDENT: Chair recognizes Senator Vard Johnson.

SENATOR V. JOHNSON: (mike not activated) . . . amendment is a fairly straight forward amendment. This is one of the few substantive amendments to actually come up this morning. What this amendment does is it says this, in every guardianship proceeding initiated on behalf or for an incapacitated person, if that person does not have an attorney to represent him, then the court shall appoint a lawyer to represent the incapacitated person. Now 428 has had a fairly lengthy history in this body. LB 428 began not in the 1981 session but in the 1980 session with another bill, a limited guardianship bill and this bill has been thrashed about by the Nebraska Bar Association by county judges and by persons that deal with retarded individuals. It has been worked through very, very carefully. When it came up for Final Reading a week or so ago, on the morning of Final Reading Senator Beutler offered an amendment to make some changes to 428. One of the changes to 428 was to remove the mandatory